



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 20 December 2006.

PRESENT:-

County Councillor Mrs Margaret Hulme in the Chair.

County Councillors Michelle Andrew, Val Arnold, Andrew Backhouse, Arthur Barker, Keith Barnes, Bill Barton OBE, Bernard Bateman MBE, David Billing, John Blackburn, John Blackie, Eric Broadbent, Rob Broadley, Peter Brown, Elizabeth Casling, Gordon Charlton, Geoffrey Cullern, Gareth Dadd, Mrs M-A de Courcey-Bayley, Polly English, John Fletcher, John Fort BEM, Heather Garnett, Ron Haigh, Richard Hall, Tony Hall, Roger Harrison-Topham, David Heather, Michael Heseltine, Robert Heseltine, Bill Hoult, David Ireton, Gillian Ivey, David Jeffels, Jane Kenyon, Michael S Knaggs, Carl Les, David Lloyd-Williams, Steve Macaré, Brian Marshall, J W Marshall, Shelagh Marshall, Leslie Parkes, Stuart Parsons, Caroline Patmore, Christopher Pearson, Paul Richardson, John Savage, Caroline Seymour, Brian Simpson, Martin Smith, Jim Snowball, Peter Sowray, Melva Steckles, Timothy Swales, Helen Swiers, Cliff Trotter, John Watson OBE, John Weighell, Mark Wheeler, Greg White and Clare L Wood.

The Reverend Keith Jukes led the Council in prayers. The Council offered its congratulations to him on his forthcoming installation as Dean of Ripon.

MINUTES

RESOLVED -

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| <p>98.</p> | <p>That subject to the insertion of the word “banks” in the third bullet point on page 2877, the Minutes of the quarterly meeting of the County Council, held on Wednesday, 11 October 2006, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.</p> |
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CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Honorary Alderman Clifford Wilson to the meeting and reported that Honorary Alderman David Ashton FCA would also be attending.

The Chairman said that she did not believe she should allow the exceptional bravery of a resident of the county to pass without comment in the chamber. Members would, she was sure, be aware that Corporal Bryan Budd, of Ripon, had been awarded the Victoria Cross, posthumously, for action in Afghanistan. She informed the Council that the citation had read “Twice he behaved with extraordinary gallantry, but his single-handed action on the second occasion, although wounded, to push on against a superior enemy force, stands out as a premeditated act of inspirational leadership and supreme valour”. In response to a proposal from Members of the Council, the Chairman of the Council agreed to write Corporal Budd's widow.

STATEMENT BY THE LEADER OF THE COUNCIL

County Councillor John Weighell made a statement, under Council Procedure Rule 2.3, as Leader of the Council, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 2881/2) and responded to questions from Members.

PUBLIC QUESTIONS OR STATEMENTS

There were no questions or statements from members of the public.

REPORT OF THE EXECUTIVE

Medium Term Financial Strategy and Provisional Local Government Settlement 2007/08

The recommendations in paragraph 1 of the report, (page 2884) having been moved and seconded, it was -

RESOLVED -

That the information set out in the report on the provisional Local Government Finance Settlement 2007/08, attached marked Appendix 1, be noted.

Capital Plan

The recommendations in paragraph 2 of the report, (page 2890) having been moved and seconded, it was

RESOLVED –

That the updated Capital Plan summarised in Appendix 2B to the report be approved.

Local Government White Paper – “Strong and Prosperous Communities”

The recommendation in paragraph 3 of the report (page 2893) having been moved and seconded, together with a proposal for a special meeting of the Council on 23 January 2007, it was

RESOLVED -

That, in order to allow the Council to debate whether it wishes to submit a proposal to the Government in response to the Local Government White Paper, by the deadline of 25 January 2007 and, if so, the terms of any submission, a special meeting of the Council be held at 2.00 p.m. on Tuesday, 23 January 2007 for that purpose, unless the Chairman is satisfied, before that date, that no useful purpose would be served in such a meeting taking place, because a submission which meets the Government criteria cannot be prepared by the required date.

Review of Special Educational Needs and Behaviour Provision

The following Members declared personal but not prejudicial interests in this item as Governors of the schools specified after their name:-

County Councillors

Michelle Andrew, Graham School Science College and East Ayton CP School; Val Arnold, Ryedale School and Helmsley CP School; Andrew Backhouse, Lindhead School; Arthur Barker, Bedale High School, Bill Barton OBE, Breckenborough Hall School; Bernard Bateman MBE, Moorside Junior School and Ripon Grammar School; David Billing, Woodlands School; John Blackburn, Cayton School; Gordon Charlton, St Peter's CE Primary School, Harrogate and Harrogate, Saltergate Community Junior School; Mrs M-A de Courcey-Bayley, Woodlands Community Junior School, Harrogate and Harrogate High School; John Fletcher, Roseberry CP School, Great Ayton; John Fort, Nidderdale High School & Community College; Heather Garnett, Killinghall CE School; Tony Hall, Allertonshire School; Roger Harrison-Topham, Wensleydale School; David Heather, Settle Middle School and Settle College; Robert Heseltine, Baliol School; Margaret Hulme, Carlton-in-Snaith CP School and Holy Family Catholic High School, Carlton; Gillian Ivey, Whitley & Eggborough CP School; Jane Kenyon, Hinderwell, Oakridge Community Primary School and Stakesby CP School; Michael Knaggs, Malton CP School; Carl Les, Risedale Sports and Community College; Brian Marshall, Barlby High School; Shelagh Marshall, Upper Wharfedale School; Christopher Pearson, Selby High School; Paul Richardson, Dishforth Airfield CP School and North Stainley CE Primary School; Caroline Seymour, Ingleby Arncliffe CE VA Primary School and Swainby & Potto CE VA Primary School; Martin Smith, Scalby School; Peter Sowray, Easingwold School; Melva Steckles, Risedale Sports and Community College; Helen Swires, Scalby School; John Weighell, Bedale High School and personal interest other than as a Governor in Mowbray School; Mark Wheeler, South Craven School and Glusburn CP School; Greg White, Pickering Community Infant & Nursery School; Clare Wood, Warthill CE VC Primary School.

The recommendations in paragraph 4 of the report (page 2904) having been moved and seconded:

The County Council divided and, on a show of hands, there were:-

For the motion - 44

Against the motion – 8

and the motion was declared carried.

RESOLVED –

That the proposals arising from the review of provision for Special Educational Needs and Behaviour, Emotional and Social Difficulties, as set out in the consultation document, a copy of which was appended to the report, subject to the modifications set out in the report, be approved.

Motion – Reduction of Travel for Seminars and Briefings by use of Technology

The recommendation in paragraph 5 of the report (page 2905) having been moved and seconded, it was

RESOLVED –

That the motion be supported.

Web Broadcasting of Council Meetings

The recommendations in paragraph 6 of the report (page 2907) having been moved and seconded it was -

RESOLVED –

A sound recording of the meeting of the Council to be held on 21 February 2007 be made and be broadcast on the County Council's website as soon after the meeting as is practicable.

Updating Amendments to the Constitution

The recommendations in paragraph 7 of the report (page 2909) having been moved and seconded it was

RESOLVED –

That the updating amendments to the Constitution set out as bullet points in the report be approved.

That the following powers be added to the officers' delegation scheme, schedule 4 of the Constitution, as powers to be exercised by the Corporate Director, Children and Young People's Service:-

To make representations under the Licensing Act 2003 and the Gambling Act 2005 to protect children from harm or being exploited by gambling.

Appointments

The recommendations in paragraph 8 of the report (page 2910) having been moved and seconded, nominations for appointments as Members or Substitute Members of other County Council Committees were proposed.

RESOLVED –

- (a) That County Councillor Val Arnold be appointed in place of County Councillor John Fletcher on the Safe and Sustainable Communities Overview and Scrutiny Committee.
- (b) That County Councillor Michael Heseltine be appointed in place of County Councillor John Fletcher on the Young People Overview and Scrutiny Committee and that County Councillor Martin Smith be appointed as fourth named substitute for the Conservative Group on that Committee.
- (c) That County Councillor Robert Heseltine be appointed as Substitute Member for Craven District Council on the Scrutiny of Health Committee and that Mrs Eileen Vickers be appointed as Substitute Member for Scarborough

Borough Council on that Committee;

- (d) That a joint Scrutiny of Health Committee be established, with the East Riding of Yorkshire Council, with the Scrutiny of Health Committee's powers to respond to the public consultation by the Scarborough and North East Yorkshire Health Care NHS Trust on proposed changes in maternity services in Bridlington, Malton and Whitby Hospitals and that the membership of the Joint Scrutiny of Health Committee, appointed by this Council comprises seven elected Members from the County Council's Scrutiny of Health Committee being County Councillors John Blackie, Val Arnold, David heather, David Billing and one other Member who is a Member of the Conservative Group, together with Scarborough Borough Councillor Jim Preston and Ryedale District Councillor John Rapier, together with any Substitute Members nominated.

REPORT AND RECOMMENDATIONS OF THE STANDARDS COMMITTEE

CONSIDERED –

The recommendation in paragraph 1 of the report (page 3017), having been moved and seconded it was -

RESOLVED -

That the protocol setting out defined roles for the Chief Executive Officer and Leader in the Ethical Framework, a copy of which was appended to the report, be approved for inclusion in Part 5 of the Constitution.

REPORT AND RECOMMENDATIONS OF THE INDEPENDENT PANEL ON MEMBERS' REMUNERATION

The recommendation in the report (page 3020) having been moved and seconded it was -

RESOLVED -

That the scheme of allowances for 2007/08 set out in Appendix B of the report be approved.

STATEMENTS OF EXECUTIVE MEMBERS AND CHAIRMEN OF OVERVIEW AND SCRUTINY COMMITTEES

County Councillor Caroline Patmore, the Executive Member for Children's Services – children's services issues, Special Educational Needs, Special Schools, Youth Service and Youth Offending Team, presented her statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 3035-8).

County Councillor Greg White declared a personal interest in respect of the Youth Offending Team as a Member of the North Yorkshire Probation Board.

County Councillor Patmore responded to questions

County Councillor John Watson, the Executive Member for Children's Services – Early Years Education and all school-related education issues and advisory services, presented his statement, a summary of the key points of which had been previously circulated and which appears in the Minute Book (pages 3039-42). He responded to questions,

County Councillor Chris Metcalfe, the Executive Member for Adult Social Services, economic development, Library and information Services, e-government and communications, was not present at the meeting, but County Councillor John Fort BEM presented his statement, a summary of the key points of which had been previously circulated and which appears in the Minute Book (pages 3043-8). He responded to questions,

County Councillor John Fort BEM the Executive Member for Community Services – community planning, community safety, cultural services, public protection, trading standards and post-16 Lifelong Learning, presented his statement, a summary of the key points of which had been previously circulated and which appears in the Minute Book (pages 3049-51). He responded to questions and agreed to take up an issue relating to internet use at Harrogate Library.

County Councillor Peter Sowray, the Executive Member for Environmental Services – planning, roads and traffic, and archaeology, presented his statement, a summary of the key points of which had been previously circulated and which appears in the Minute Book (pages 3053-4 together with a supplementary statement about the LTP Capital Settlement). He responded to questions,

County Councillor Clare Wood, the Executive Member for Environmental Services, public rights of way, conservation, waste disposal and public passenger transport, presented her statement, a summary of the key points of which had been previously circulated and which appears in the Minute Book (pages 3055-7). She responded to questions,

The Chairman adjourned the meeting at 1.10 pm.

The meeting re-convened at 2.35 pm.

County Councillor Carl Les, the Executive Member for Corporate Services – corporate affairs, performance management, procurement, asset management and finance presented his statement, a summary of the key points of which had been previously circulated and which appears in the Minute Book (pages 3059-63). He responded to questions, including an assurance that he would respond to County Councillor Bill Hoult about procurement processes for distribution of NY Times.

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees having previously been circulated (pages 3065-92), County Councillor John Blackie, Chairman of the Scrutiny Board and of the Scrutiny of Health Committee, made additional oral statements and responded to questions.

COUNCIL PROCEDURE RULE 10 QUESTIONS

In response to a question from County Councillor Stuart Parsons relating to the difficulties encountered by the public in seeking to contact the Police, County Councillor Jane Kenyon, the Chairman of the North Yorkshire Police Authority, assured Members of the Council that the Police Force and the Police Authority were very aware of the difficulties being experienced and steps were being taken to address these. She stressed that the 0845 number should be used for non emergency calls only and that if calls were being made about emergency issues they should use the 999 number.

MOTION – POST OFFICES AND SUB-POST OFFICES IN URBAN AND RURAL AREAS

It was formally moved by County Councillor Gordon Charlton and seconded by County Councillor Bernard A Bateman MBE:-

“North Yorkshire County Council:

Condemns the failure of HM Government to support Post Offices and sub-Post Offices within urban and rural areas in their provision of valuable local services;

Opposes any further closures in the county;

Believes that Post Office closures cause great distress and inconvenience to many residents, including many vulnerable members of society, and

Undertakes to write to the Government Minister concerned urging them to take steps to retain and improve the post office network in the UK.”

The Chairman said that, in view of the Government’s announcement of a public consultation period on the future of post offices for the three months to 8 March, 2007, she did not believe that there were grounds for debating the motion on the day. The Chairman ruled, therefore, that, having been formally moved and seconded, the motion should stand referred to the Care and Independence Overview and Scrutiny Committee and then the Executive for consideration and report back to the Council in February.